

## RECESS.

Mr. Miller of Dallas moved that the House recess until 10 o'clock a. m. tomorrow.

Mr. Quinn moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. Miller of Dallas prevailed, and the House accordingly, at 5:30 o'clock p. m., took recess until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills, as follows:

Public Health: House bill No. 447.

State Affairs: Senate bills Nos. 48, 89; House bill No. 41.

Education: House bills Nos. 491, 466, 463, 464.

The following standing committees filed adverse reports today on bills, as follows:

Insurance: House bill No. 400.

Revenue and Taxation: House bill No. 351.

Municipal and Private Corporations: House bill No. 394.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 18, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 132, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris county, and repealing all laws in conflict herewith, and declaring an emergency.'"

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, approved April 3, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage, providing for an appropriation therefor, and fixing penalties for the violation thereof, and declaring

an emergency,' by providing for manner of selection and employment of said commission; providing additional powers and duties; providing for salaries; making appropriations therefor; fixing penalties for the violation thereof, and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act creating the Saint Jo Independent School District in Montague county, Texas, out of the territory known as the Saint Jo Independent School District in said county; defining its boundaries and providing for the election of trustees therefor, and authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers; providing authority to issue bond for the purpose of purchasing school building sites, and erecting, furnishing and equipping school buildings within the said district; to levy taxes therefor, and to pay current expenses for the support and maintenance of said schools; providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, and declaring an emergency."

H. B. No. 396, A bill to be entitled "An Act to amend Section 15, Chapter 9, of the Second Called Session of the Thirty-fifth Legislature of Texas, the same being 'An Act to create a special road law for Red River county; providing in said amendment that the county surveyor of Red River county, Texas, shall be ex-officio county road superintendent for said county, and requiring a bond.'"

And find the same correctly engrossed.  
PATMAN, Chairman.

## TWENTY-SEVENTH DAY.

(Continued.)

(Saturday, February 19, 1921.)

The House met at 10 o'clock a. m., and was called to order by Speaker Thomas.

## SENATE BILL NO. 101 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, as pending unfinished business,

S. B. No. 101, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-

fifth Legislature, and as amended by Section 1, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature by increasing the annual license fee on commercial vehicles and interurban commercial vehicles, and amending Section 16a, added to Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature by increasing the license fee on commercial and interurban commercial vehicles based upon carrying capacity and per mile traveled, and declaring an emergency."

The bill having been read second time on yesterday, with (committee) amendments by Mr. Fly, pending.

Mr. Stevenson offered the following amendment to the (committee) amendments:

Amend (committee) amendment No. 1, Section 16, page 7, line 18, after the word "vehicle," by adding the words "except vehicles of a carrying capacity of 2000 pounds or less."

The amendment to the (committee) amendments was adopted.

Mr. John Davis of Dallas moved to table the (committee) amendments as amended, and the motion to table was lost.

Mr. Fly moved to lay the bill on the table subject to call.

Yeas and nays were demanded, and the motion to lay the bill on the table subject to call was lost by the following vote:

Yeas—36.

Aiken.	Owen.
Barker.	Perkins
Beasley	of Cherokee.
of Hopkins.	Rogers of Shelby.
Beasley	Rountree.
of McCulloch.	Rowland.
Bonham.	Sims.
Carpenter.	Stephens.
Dinkle.	Stevenson.
Duffey.	Stewart
Edwards.	of Edwards.
Faubion.	Thompson
Fly.	of Red River.
Kellis.	Thorn.
Lackey.	Thrasher.
Laird.	Veatch.
Martin.	Wallace.
Melson.	Wessels.
Merriman.	Williams
Morgan.	of McLennan.
Mott.	Wright.

Nays—58.

Adams.	Beavens.
Baldwin.	Binkley.

Bryant.	McDaniel.
Burmeister.	McLeod.
Burns.	Malone.
Coffee.	Marshall.
Cox.	Mathes.
Crawford.	Menking.
Crumpton.	Miller of Dallas.
Curtis.	Miller of Parker.
Davis, John E.,	Moore.
of Dallas.	Morris of Medina.
Davis, John,	Morris
of Dallas.	of Montague.
Fugler.	Neblett.
Greer.	Patman.
Hall.	Perry.
Hanna.	Pollard.
Hardin.	Pool.
Harrison.	Pope.
Menderson	Quaid.
of Marion.	Quicksall.
Hill.	Quinn.
Horton.	Rice.
Johnson	Rosser.
of Gillespie.	Satterwhite.
Jones.	Sneed.
Kacir.	Thomas
King.	of Limestone.
Lauderdale.	Walker.
Lawrence.	Webb.
Looney.	Westbrook.

Present—Not Voting.

Mr. Speaker.

Absent.

Barrett of Bell.	Kveton.
Barrett of Fannin.	Laney.
Bass.	Lindsey.
Black, O. B.,	McFarlane.
of Bexar.	McKean.
Black, W. A.,	Rogers of Harris.
of Bexar.	Schweppe.
Branch.	Shearer.
Brown.	Smith.
Childers.	Stewart of Reeves.
Cummins.	Sweet of Brown.
Duncan.	Sweet of Tarrant.
Estes.	Thomason.
Garrett.	Thompson
Henderson	of Harris.
of McLennan.	Wadley.
Hendricks.	West.
Johnson of Ellis.	Williams
Johnson	of Montgomery
of Wichita.	

Absent—Excused.

Baker.	Leslie.
Brady.	McCord.
Burkett.	Perkins of Lamar.
Chitwood.	Seagler.
Darroch.	Swann.
Grissom.	Teer.
Harrington.	

On motion of Mr. John Davis of Dallas, further consideration of the bill

was postponed until 11 o'clock a. m. next Tuesday.

# SENATE BILL NO. 160 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 160, A bill to be entitled "An Act creating the Hammond Independent School District of Robertson county, Texas, as is included by the field notes, as follows: Defining its boundaries, investing it with the rights, powers and duties and privileges of a district incorporated for school purposes under the general law; providing for a board of trustees therefor; making provisions for taxation for school purposes in said district, and declaring an emergency."

The bill was read second time, and was passed to third reading.

# SENATE BILL NO. 184 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 184. A bill to be entitled "An Act creating the Desdemonia Independent School District in Eastland county, Texas; defining its boundaries, such boundaries to be the same as Common School District No. 41 of Eastland county; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees of said Common School District No. 41 shall continue in office until the first Saturday in April, 1921, or until their successors are elected and qualified; and providing that such trustees shall have the power to appoint four other trustees; providing for an election to be held on the first Saturday of April, 1921, to elect the successors of said trustees; declaring the maintenance tax and bond tax heretofore authorized in said Common School District No. 41 to be valid and binding upon said independent school district; providing for an assessor and collector of taxes for said district; providing for the levying, assessing and collecting of taxes for the current year, and annually thereafter; providing that all bonds, obli-

gations, contracts and indebtedness legally existing against Common School District No. 41 are imposed upon the Desdemonia Independent School District; providing the title to all property within said district and all funds shall vest in the board of trustees of said Desdemonia Independent School District and their successors in office, and declaring an emergency."

The bill was read second time, and was passed to third reading.

# RESOLUTION ORDERED NOT PRINTED.

On motion of Mr. John Davis of Dallas, it was ordered that Senate Joint Resolution No. 1 be not printed.

# SENATE BILL NO. 104 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 104, A bill to be entitled "An Act to prevent any person, firm, corporation or association from placing before the public any advertisement relating to merchandise, securities, service or any other thing offered to the public, containing an assertion, representation or statement of fact which is untrue, deceptive or misleading; providing a penalty for the violation thereof, and declaring an emergency."

The bill was read second time.

Mr. Greer offered the following amendment to the bill:

Amend Senate bill No. 104, page 2, line 2, after the words "which is," by adding the word "knowingly."

Mr. Morgan moved to table the amendment, and the motion to table was lost.

Mr. Marshall offered the following substitute for the amendment:

Amend Senate bill No. 104 by adding after the word "is," in line 2, page 2, the following words, "known by said person, firm, corporation or association, or could have been known by use of reasonable diligence or inquiry to be."

Question—Shall the substitute be adopted?

# INVITATION TO DR. M. M. CARRICK.

Mr. Burmeister offered the following resolution:

Be it resolved by the House of Representatives, That Dr. M. M. Carrick, State Health Officer, be, and he is hereby invited to make exhibition of certain moving pictures depicting phases of public health work, and that said ex-

hibition be given in the Hall of the House of Representatives at 8 p. m., February 23, 1921, and that the members of the Senate and others interested be invited to be present and witness the exhibition.

The resolution was read second time and was adopted.

#### MESSAGE FROM THE GOVERNOR.

Mr. R. B. Walthall, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,  
Austin, Texas, February 19, 1921.

To the House of Representatives.

Gentlemen: I am returning herewith to you without my approval House bill No. 28. My reasons for not approving the bill are as follows:

1. Because this bill seeks to appropriate four hundred thousand dollars for wolf scalps, half of this amount to be paid by the State and half by the county. This is entirely too large an appropriation for this purpose.

2. Because the present way of killing wolves seems ample and has the approval of most of the stockmen. I am advised that during the past year, and at this time, forty-six professional wolf hunters are employed jointly by the Federal government, the State government and private contributions. The hunters and trappers work systematically under the direction of a general supervisor. Under this system, during the past year, the Federal government appropriated \$25,000, the State government appropriated \$25,000 and private contributions added to these two amounts swelled the total to \$72,000. I understand that forty-six hunters are now working under the direction of those in charge of this plan, and as the wolf area is not comparatively large, seems for the present ample.

3. Because this bill makes the county in which wolves are killed pay a bounty of \$1.50 for each wolf killed without the taxpayers or the commissioners court agreeing to do so.

4. Because it permits professional hunters and trappers to go upon the lands of another without the consent of the owner.

5. Because the bounty hunters and trappers, under the guise of hunting,

will go upon the lands of others and kill his deer, disturb his wild game and gather his pecans.

6. Because the ranch owner has no control in any way over the hunter who roams at will, and shoots at pleasure, when and where he pleases.

For the reasons above stated, I have vetoed and disapproved said bill.

Respectfully yours,

PAT M. NEFF,

Governor.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 63, "An Act to amend Article 4703 of Chapter 1, Title 70, and Article 5686, Chapter 2, Title 87, of the Revised Statutes of Texas of 1911, relating to survival of causes of action for personal injuries and injuries resulting in death, and providing for the survival of causes of action for injuries resulting in death where the tort-feasor dies before suit is instituted, and declaring an emergency."

S. B. No. 55, "An Act to amend Article 1551, Chapter 9, Title 31, of the Revised Civil Statutes of Texas of 1911, and also to amend Article 1627, Title 32, Chapter 9, Revised Civil Statutes of Texas, 1911, so as to provide, in substance, that when the judgment of the lower court is affirmed or reversed and rendered, that the Court of Civil Appeals or the Supreme Court in which said suit is pending, shall at the same time render judgments against the party appealing, together with the sureties on the appeal, or supersedeas bond for the amount of the judgment so rendered, and providing that the said court shall make such disposition as to costs as may be deemed proper; to repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 1, "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases to be taxable against the defendant on conviction, and the allowance to sheriffs by the commissioners court of the several counties in this State for the safekeeping, support and maintenance of prisoners in jail, or under guard, and declaring an emergency."

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, February 19, 1921.

Hon. Charles G. Thomas, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 62, A bill to be entitled  
"An Act removing Panola county from  
the Ninth Supreme Judicial District of  
Texas to the Sixth Supreme Judicial  
District, naming the counties compos-  
ing each of said districts and pro-  
viding that the Sixth Supreme Judicial  
District shall henceforth include the  
county of Panola."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

## RECESS.

On motion of Mr. Owen, the House,  
at 12:15 o'clock p. m., took recess to  
2 o'clock p. m. today.

## AFTERNOON SESSION.

The House met at 2 o'clock p. m.,  
and was called to order by Speaker  
Thomas.

SENATE BILL NO. 104 ON PASSAGE  
TO THIRD READING.

The House resumed consideration of  
pending business, same being Senate  
bill No. 104, relating to deceptive or  
misleading statements in advertise-  
ments, on its passage to third reading,  
with amendment by Mr. Greer and sub-  
stitute by Mr. Marshall for the amend-  
ment pending.

Question first recurring on the substi-  
tute, it was adopted.

Question next recurring on the amend-  
ment as substituted, it was adopted.

Mr. Mott offered the following amend-  
ment to the bill:

Amend Senate bill No. 104, line 38,  
on page 1, by adding after the word  
"handbill" and before the word "poster"  
the following words: "window display  
card or price tag."

The amendment was adopted.

Mr. Dinkle offered the following  
amendment to the bill:

Amend Senate bill No. 104 by adding  
a new section to be known as Section 2  
and renumber the sections to corre-  
spond:

"Sec. 2. In a prosecution under this  
act such statement, trade name or

trademark, with the name, signature,  
mark or identification of the person,  
firm, corporation, partnership, associa-  
tion, shall be considered prima facie  
evidence of the publication of such  
statement, trade name or trademark by  
the person, firm, corporation, partner-  
ship, association, referred to therein.

Mr. Miller of Dallas moved the pre-  
vious question on the pending amend-  
ment and the passage of the bill to  
third reading, and the main question  
was ordered.

Question recurring on the amendment,  
it was adopted.

Senate bill No. 104 was then passed  
to third reading.

SENATE JOINT RESOLUTION NO. 1  
ON SECOND READING.

The Speaker laid before the House,  
on its second reading,

S. J. R. No. 1, Proposing an amend-  
ment to Section 2, Article 6, of the Con-  
stitution of the State of Texas, by  
providing that only native born or nat-  
uralized citizens of the United States  
shall be qualified electors in this State,  
and permitting either the husband or  
the wife to pay the poll tax of the  
other and receive the receipt therefor,  
and permitting the Legislature to au-  
thorize absentee voting.

The resolution was read second time.

Mr. Bryant offered the following  
amendment to the resolution:

Amend Senate Joint Resolution No.  
1, printed resolution, by changing the  
semicolon in line 23, page 1, Section 2,  
to a period, and striking out all there-  
after down to and including the word  
"therefore" in line 2, page 2.

The amendment was lost.

Mr. Baldwin offered the following  
amendment to the resolution:

Substitute for Senate Joint Resolu-  
tion No. 1 and pending amendment by  
striking out all after the resolving  
clause and inserting in lieu thereof the  
following:

Section A. That Article VI of the  
Constitution of the State of Texas be so  
amended as hereafter to read as fol-  
lows:

## Article VI.

Section 1. The following classes of  
persons shall not be allowed to vote in  
this State, to wit:

First—Persons under twenty-one  
years of age.

Second—Idiots and lunatics.

Third—All paupers supported by any  
county.

Fourth—All persons convicted of any

felony, subject to such exceptions as the Legislature may provide.

Fifth—All soldiers, marines and seamen employed in the service of the army or navy of the United States.

Sec. 2. Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months in the district or county in which he or she offers to vote, shall be deemed a qualified elector; and all electors shall vote in the election precinct of their residence, with such exceptions as the Legislature may by law provide; provided, that electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes.

Sec. 3. All qualified electors of the State, as herein described, who shall have resided for six months immediately preceding an election within the limits of any city or incorporated town, shall have the right to vote for mayor and all other elective officers; but in all elections to determine the expenditure of money or assumption of debt, only those shall be qualified to vote who pay taxes on property in said city or incorporated town.

Sec. 4. In all elections by the people the vote shall be by ballot, and the Legislature shall provide for the numbering of tickets and make such other regulations as may be deemed necessary to detect and punish fraud and preserve the purity of the ballot box; and the Legislature shall provide by law a system for the registration of all voters; provided, that no law shall ever be enacted requiring payment of a poll tax as a prerequisite to voting.

Sec. 5. Voters shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning therefrom.

Sec. B. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of the State at an election to be held throughout the State on the 28th day of May, 1921, at which election all voters favoring said proposed amendment shall write or have printed on their ballots the words, "For the Amendment of Article VI of the Constitution of the State of Texas," and all those opposing the said amendment shall write or have printed on their ballots the words, "Against the

Amendment of Article VI of the Constitution of the State of Texas."

Sec. C. The Governor of the State is hereby directed to issue the necessary proclamation for said election, and to have same published as required by the Constitution and existing laws of the State.

Sec. D. The sum of \$5,000.00, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas not otherwise appropriated, to pay the expenses of such publication and election, and to carry out this resolution.

Question—Shall the amendment be adopted?

### ADJOURNMENT.

On motion of Mr. Greer, the House, at 3:24 o'clock p. m., adjourned until 3:25 o'clock p. m., Saturday, February 19.

### TWENTY-EIGHTH DAY.

(Saturday, February 19, 1921.)

The House met at 3:25 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Garrett.
Aiken.	Greer.
Baldwin.	Hanna.
Barker.	Hardin.
Beasley	Harrison.
of Hopkins.	Henderson
Beasley	of Marion.
of McCulloch.	Hendricks.
Beavens.	Hill.
Binkley.	Horton.
Bonham.	Johnson of Ellis.
Branch.	Jones.
Bryant.	Kacir.
Burmeister.	Kellis.
Burns.	King.
Carpenter.	Lackey.
Coffee.	Laird.
Cox.	Lauderdale.
Crawford.	Lawrence.
Crumpton.	Lindsey.
Curtis.	Looney.
Davis, John E.,	McDaniel.
of Dallas.	McLeod.
Davis, John,	Martin.
of Dallas.	Marshall.
Dinkle.	Mathes.
Duffey.	Melson.
Edwards.	Menking.
Faubion.	Merriman.
Fly.	Miller of Dallas..